

REMARKS

The Examiner has issued a restriction requirement under 35 U.S.C. § 121 requiring election of one of two alleged different species. Applicant's undersigned representative provisionally elects *with traverse* Examiner's Group I (claims 1-7, 9-26, 27, and 28), for prosecution in the present application. This election is in no way an admission of the Examiner's characterizations of the figures and/or claims. Applicant reserves the right to prosecute the non-elected claims, as well as any other claims supported by the specification, in one or more subsequent patent applications. Furthermore, Applicant's undersigned representative respectfully requests reconsideration of the restriction between Examiner's Group I and Group II in view of the following remarks.

Claim 1 recites:

1. A method of processing financial instrument data to identify stock option spreads, in a computer system, comprising:
 - receiving financial data from at least one data source;
 - processing the financial data to derive values for a set of searchable parameters corresponding to stock option spreads;
 - receiving user defined search criteria for searching the searchable parameters corresponding to the stock option spreads;
 - searching the values derived for the set of searchable parameters for values having the user defined search criteria;
 - and
 - identifying a set of option spreads corresponding to values for the set of searchable parameters matching the user defined search criteria.

Claim 4 is dependent from claim 1 and recites:

4. The method of claim 1, further comprising:
 - transmitting to a user a series of questions regarding investment preferences;
 - receiving responses to said series of questions; and
 - formulating from said responses, search criteria for searching the searchable parameters.

Claim 8 recites the following:

8. A method for formulating searches of financial instruments in a computer system, comprising:

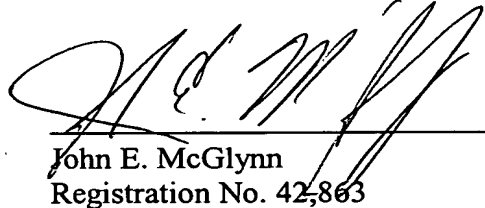
DOCKET NO.: POPT-0004
Application No.: 09/676,374
Office Action Dated: July 1, 2004

PATENT

transmitting to a user a series of questions regarding investment preferences;
receiving responses to said series of questions;
formulating from said responses, search criteria; and
executing a search of a searchable database of financial instruments using said search criteria.

The similarities between the elements of claim 8 on the one hand and the elements of claim 4 on the other hand are clear. Applicant's undersigned representative respectfully submits that due to the similarities in claim elements and the likelihood that similar searches will be required, prosecuting claims designated by the Examiner's group I and Examiner's group II in the same application will not place a serious burden on the Examiner. (See M.P.E.P. § 803 which specifies a proper requirement for restriction requires: a) the inventions must be independent or distinct; and b) there must be a serious burden on the examiner if restriction is required.) Reconsideration of the restriction between Examiner's group I and group II, and prosecution of claim 8 in the present application is respectfully requested.

Date: August 26, 2004



John E. McGlynn
Registration No. 42,863

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439